

UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Confirmation No.: 9574

Nigel R.A. BEELEY *et al.*

Group Art Unit: 1653

Appln. No.: 09/003,869

Examiner: Abdel MOHAMED

Filed: January 7, 1998

Atty. Docket: 18528.032

Title: Use of Exendins for the Reduction
of Food Intake (As Amended)

TERMINAL DISCLAIMER

Attn: Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Amylin Pharmaceuticals, Inc. (hereinafter the "Owner"), the assignee and owner of the entire right, title, and interest in the instant application by virtue of the assignment recorded on August 3, 1998 at the U.S. Patent and Trademark Office at Reel 9381, Frame 0222, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/187,051, filed on June 28, 2002, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned and agrees that this Terminal Disclaimer shall run with any patent granted on the instant application and shall be binding on the grantee, its successors or assigns.

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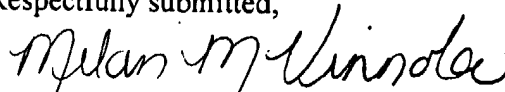
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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The fee set forth in 37 C.F.R. § 1.20(d) is believed to be \$110.00 for filing the instant terminal disclaimer. The Commissioner is hereby requested to charge the \$110.00 fee for the statutory disclaimer to Arnold & Porter LLP Deposit Account No. 50-2387, referencing matter number 18528.032. A duplicate copy of this Terminal Disclaimer is enclosed.

The undersigned is an attorney or agent of record.

Respectfully submitted,



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Date: March 18, 2004

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